

CHAN AH WAH AND LIM CHEOK KEE

115 East Street
New Hyde Park, NY 11040

January 5, 2018

The Honorable Judge Lorna G. Schofield
United States District Court, Southern District of New York
c/o Pro Se Intake Unit
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 200
New York, NY 10007

2018 JAN -3 11:10:37

**RE: In re Foreign Exchange Benchmark Rates Antitrust Litigation 13-cv-7789-LGS
INFORMATION FOR CASE STATUS FOR MOTION TO COMPEL**

Dearest Honorable Judge Schofield,

Good day to you, Your Honor.

This is to inform you that I, *Pro se* Litigant/Plaintiffs, as matter of course in regard to the status for class member for *pro se* plaintiffs CHAN AH WAH AND LIM CHEOK KEE IS DEFINITELY affirmed both a class members in FOREX (*In re Foreign Exch. Benchmark Rates Antitrust Litig.*, No. 13 Civ. 7789, 2016 WL 1268267, (S.D.N.Y. Mar. 31, 2016) “FOREX”), pursuant to the Court’s individual rules and scheduling orders, in Judge Order (ECF 864) “Superseding Order Approving The Form and Matter Of Notice of Settlements and Preliminarily Approving The Plan of Distribution,”:

WHEREAS, the Action [FOREX] is pending before this Court;

WHEREAS, Class Plaintiff have entered into and executed Stipulations and Agreements of Settlement that are attached to the accompanying Declaration of Christopher m. Burke and Michael D. Hausfeld in Support of Class Plaintiffs’ Motion for Preliminary Approval of Settlements, dated July 28, 2017, ECF No. 822, and dated 22, 2015, ECF No. 481, and ECF No. 824,

NOW, THEREFORE, IT IS HEREBY ORDERED AND FOUND:

1. All terms in initial capitalization used in this Order shall have the same meanings as set forth in the Settlement Agreements and the Preliminary Approval Orders, unless otherwise

defined herein. (See pg 2).

2. This Order supersedes the Court's Order Approving the Form and Manner of Notice of Settlements and Preliminary Approving the Plan of Distribution, dated December 20, 2016, ECF. 700.
3. If the Settlements are finally approved, the Plan of Distribution (attached as Exhibit 4 to the Declaration of Christopher M. Burke, dated July 28, 2017, ECF No. 826), provides the terms by which the Claim Administrator would calculate the claims submitted by Settlement Class Members and distribute the Net Settlement Fund to Authorized Claimants. The Plan of Distribution is the product of analysis by the Settlement Administrator (Kenneth Feinberg) and his consultants at Ankura Consulting, Allocation Counsel and Class Counsel and their FX industry, economics and damages consultant, including at the firm Velador Associates. The Plan of Distribution provides a "fair and adequate" means by which to distribute the Net Settlement Fund and has "reasonable, rational basis." *In re WorldCom, Inc. Sec. Litig.*, 388 F. Supp. 2d 319, 344 (S.D.N.Y. 2005). Therefore, the Plan of Distribution is hereby preliminarily approved, subject to further consideration thereof at the Fairness Hearing described below.
4. Class Plaintiffs shall file finalized Relative Damage Factors as referred to in the Plan of Distribution by October 1, 2017.
5. The Court approves, as to form and content, the Notice of Class Action Settlement ("Mail Notice"), the Proof of Claim and Release ("Claim Form"), and the Summary Notice of Class Action Settlements ("Summary Notice"), substantially in the form attached as Exhibit 1 through 3, respectively, to the Declaration of Christopher M. Burke, dated July 28, 2017, ECF No. 826.
6. The Claims Administrator shall translate the Mail Notice into French, German, Bahasa Indonesian, Japanese, Korean, Traditional Chinese, Simplified Chinese, Spanish, Russian, Portuguese, Romanian, Vietnamese, Polish and such other languages that Class Plaintiffs and Settling Defendants agree are appropriate in light of the composition of the Settlement Classes. The Claims Administrator shall make such translated versions of the Mail Notice

available to the Settlement Website. No later than the Notice Date, Class Counsel shall file with Clerk of the Court a certification of accuracy by the translator as to each translation published on the Settlement Website.

7. Settling Defendants shall make reasonable efforts, as soon as possible, to the extent not already completed, to identify and provide to the Claims Administrator or an agent of the Settling Defendants (Rust Consulting) the names and addresses of potential members of the Settlement Classes, who can be reasonably identified based on client records that Settling Defendants have in their respective possession, custody, or control, for purposes of the mailing of the Mail Notice and Claim Form **referenced in Paragraph 8 and 9, to the extent permitted by applicable laws.**[See explanation at last page for this order at ECF **866**] Settling Defendants will also make reasonable efforts, as soon as possible, to compile names and addresses of potential members of the Settlement Classes, who can be reasonably identified **based on client records** that Settling Defendants have in their respective possession, custody, or control, **to whom Settling Defendants will send the Mail Notice and Claim Form directly, as referenced in Paragraph 9.**
8. The process of disseminating the Mail Notice and Claim Form shall begin by **October 1 2017** ("Notice Date"). Mail Notice shall be mailed by first class mail (or, **for Mail Notice** conducted within foreign countries, the corresponding class of postal delivery), postage prepaid, to each potential member of the Settlement Classes that can be identified through reasonable effort to the extent permitted by applicable laws. The Claims Administrator shall cause copies of the Mail Notice and Claim Forms to be mailed to each of the following potential members of the Settlement Classes: (1) potential members of the Settlement Classes whose names and addresses were provided by Settling Defendants to the Claims Administrator; (2) "large traders" of FX Exchange-Traded Instruments whose names were obtained by Class Plaintiffs pursuant to subpoenas to Chicago Mercantile Exchange ("CME") and Intercontinental Exchange, Inc. ("ICE"); (3) Futures Commission Merchant ("FCMs"), who were clearing members and cleared FX Exchange-Traded Instruments on CME and ICE Futures U.S., whose names and addresses were obtained by Class Plaintiffs pursuant to

subpoenas to the CME and ICE (such clearing firms shall be requested either to forward copies of the Mail Notice and Claim Form to their customers who transacted in FX Exchange-Traded Instruments during the Settlement Class Period, or to provide the names and addresses of such customers to the Claims Administrator).

9. An agent of Settling Defendants (Rust Consulting) or, as determined in light of applicable foreign bank secrecy and/or data privacy laws, Settling Defendants directly, shall cause copies of the Mail Notice and Claim Form to be mailed to other potential members of the Settlement Class who have been identified by Settling Defendants in light of applicable foreign bank secrecy and/or data privacy laws.

10. Subject to Paragraphs 8 and 9 above, absent further order of the Court, the Claims Administrator shall have such duties and responsibilities as set forth in the Settlement Agreements.

11. **As soon as practicable after the Notice Date**, Class Counsel shall cause to be published the Summary Notice, which the Settling Parties intend to be the best notice practicable under the circumstances, and which shall be: (a) published once in *FX Week*, *The Wall Street Journal* (Global Edition), *Investor's Business Daily*, *Financial Times* (Worldwide Edition), *The New York Times* (International Edition), *The Guardian* (United Kingdom), *Globe and Mail* (Canadian National Edition) and *La Presses* (Montreal, in French); (b) published for four weeks on *eFXnews.com* and on the websites of the *Financial Times* (Global Edition) and *Bloomberg* (United States Edition); and (c) issued as a press release through Premier Global. After the issuance of this Order, the Settling Parties may agree to broaden this publication notice plan, in consultation with the Claims Administrator, without further order from the Court.

12. **On or before the Notice Date**, Class Counsel shall cause the Mail Notice (including translated versions), Claim Form, Summary Notice and Plan of Distribution (including Relative Damage Factors) to be published on the Settlement Website.

13. Concurrent with Class Counsel's motion for final approval of the Settlements, and with any subsequent update as necessary, Class Counsel shall file, or cause to be filed, a sworn

statement attesting to the compliance with the provisions of Paragraph 6, 8,11 and 12, and Settling Defendants shall file, or cause to be filed, declaration(s) attesting to compliance with the provisions of Paragraphs 7 and 9.

14. Any Person who transacted in FX Instruments or FX Exchange-Traded Instruments for the benefit of another Person (a "Beneficial Owner") during the Settlement Class Period shall be requested either to send the Mail Notice and Claim Form to all such Beneficial Owners within 25 days after receipt thereof or to send a list of the names and last known addresses of such Beneficial Owners to the Claims Administrator within 25 days of receipt thereof, in which event, the Claims Administrator shall promptly mail the Mail Notice and Claim Form to such Beneficial Owners.

15. The Court finds that the mailing of the Mail Notice and Claim Form and publication of the Summary Notice constitutes the best notice practicable under the circumstances, including individual notice to all members of the Settlement Classes who can be identified through reasonable effort, and constitutes valid, due and sufficient process, complying fully with the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process.

16. **All fees, costs and expenses incurred in identifying and notifying members of the Settlement Classes shall be paid as forth in the Settlement Agreements.** For the avoidance of doubt, this includes all fees, costs and expenses of Settling Defendants' agent (Rust Consulting) **with the exception that Settling Defendants shall pay any** non-postage related costs of their agent (Rust Consulting) to the extent such costs exceed what the Claims Administrator would reasonably charge for such service and to the extent any costs of administration incurred by the Claims Administrator and Rust Consulting together exceed \$2,000,000 (two million dollars). **To the extent a Settling Defendant makes any mailing directly pursuant to Paragraph 9 above,** the Settling Defendant will bear its own costs other than out of pocket disbursements for postage. Except as otherwise provided in this Order or in the Settlement Agreements, in no event shall Settling Defendants bear any responsibility for fees, costs, or expenses incurred in identifying and notifying members of the Settlement Classes.

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17. Any Person falling within the definition of one of the Settlement Classes may request to be excluded from the Settlement Class in which he, she, or it would otherwise be a member ("Request for Exclusion"). A Request for Exclusion must be: (a) in writing; (b) signed by the Person (defined as the individual or entity holding the claim) or his, her, or its authorized representative; (c) state the name, address and phone number of that Person; (d) include proof of membership in a Settlement Class; (e) include the claimant ID number(s) on the Person's Claim Form(s), if received; and (f) include a signed statement that "I/we hereby request that I/we be excluded from the Settlements in the *In re Foreign Exchange Benchmark Rates Antitrust Litigation*" or the substantive equivalent. The request must be postmarked by **February 7, 2018**, and mailed to the Claims Administrator at: In re Foreign Exchange Benchmark Rates Antitrust Litigation, c/o GCG, P.O. Box 10239, Dublin, OH 43017-5739. Unless the Court orders otherwise, a Request for Exclusion that does not include all of the foregoing information, that does not contain the proper signature, that is sent to an address other than the one designated in the Mail Notice and Summary Notice, or that is not sent within the time specified, shall be invalid. The Person(s) submitting such an invalid request shall be a Settlement Class Member and shall be bound by the Settlements set forth in the Settlement Agreements, if approved. All Person s who submit valid and timely Requests for Exclusion in the manner set forth in this paragraph shall be excluded from the Settlement Classes, shall have no rights under the Settlement Agreements, shall not share in the distribution of the Settlement Fund, shall not be bound by the Settlement Agreements or, if approved, any Final Judgment and Order of Dismissal approving the same.
18. Class Counsel shall provide counsel for the Settling Defendants copies of all Request for Exclusion, together with all documents and information provided with such request, and any written revocation of Requests for Exclusion within three business days of receipt by Class Counsel of that exclusion request or revocations thereof.
19. Any member of the Settlement Class who has not submitted a Request for Exclusion may object and state why the Settlement should not be finally approved as fair, reasonable and adequate; why the Final Judgment and Order of Dismissal should not be entered; why the

Plan of Distribution should not be approved; and/or why the requested attorneys' fees and litigation costs should not be awarded to counsel for Class Plaintiffs. In order to contest any of these matters, an objecting class member must submit a written objection that (i) identifies the name of the case (*In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No 13-cv-7789 (LGS)) and the Settlement Class member's name, address, telephone number, signature and, if applicable, the name, address and telephone number of the attorney representing the member of the Settlement Class; (ii) states whether the objecting class member intends to appear at the Final Fairness Hearing (though an appearance is not necessary for the Court to consider the objection); (iii) provides proof that the objecting class member is a member of either the Direct Settlement Class or the Exchange-Only Settlement Class, including documentation evidencing FX trading during the Class Period; (iv) identifies the specific grounds for the objection, including whether the objecting class member want to appear and be heard at the Final Fairness Hearing, as well as all documents for the Court to consider; and (v) is postmarked by February 7, 2018, and mailed to Claims Administrator at: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, c/o GCG, P.O. Box 10239, Dublin , OH 43017-5739. As soon as practicable, Class Counsel shall cause in substantially the manner set forth in this paragraph shall be deemed to have waived objections and will forever be barred from making such objections in the Action, including, but not limited to, any objection to: (a) the fairness, reasonableness or adequacy of the settlements set forth in such Settlement Agreement(s) or the Plan of Distribution; and (b) any award of attorneys' fee and/or costs and expenses to counsel for Class Plaintiffs.

20. Unless the Court orders otherwise, all Claim Forms must be submitted to the Claims Administrator so that they are postmarked by March 22, 2018, or submitted online by 11:59 P.M. Eastern Time on March 22, 2018.

21. Any and all distributions to eligible Settlement Class Members shall be made pursuant to the Plan of Distribution, as approved by the Court, to those Settlement Class Members who submit a valid Claim Form. Settlement Class Members who wish to participate in the

Settlements set forth in the Settlement Agreements must complete and submit a valid Claim Forms, in accordance with the instructions contained therein.

22. Any Settlement Class Member who does not timely submit a Claim Form within the time provided shall be barred from sharing in the distribution of the proceeds of the Settlement Fund, unless otherwise ordered by the Court, but shall nevertheless be bound by any Final Judgment and Order of Dismissal entered by the Court regarding the settlements set forth in the Settlement Agreements. Notwithstanding the foregoing, Class Counsel shall have the discretion, but not the obligation, to accept late-submitted claims for processing by the Claims Administrator, so long as distribution of the proceeds of the Settlement Fund is not materially delayed. Class Counsel shall have no liability for failing to accept any late-submitted claims.

23. Any member of a Settlement Class may enter an appearance in the Action, at their own expenses, individually or through counsel of their own choice. Any member of a Settlement Class who does not enter an appearance will be represented by Class Counsel.

24. The Fairness Hearing shall be held before this Court on May 23, 2018, at 4:00 P.M. at the United States District Court for the Southern District of New York..(v) whether the Court should certify the Settlement Classes, but solely for settlement purposes pursuant to Fed. R. Civ. P. 23(a),(b)(3); and (vi) such other matters as the Court may deem appropriate.

Also see ECF 883: "Second Superseding Order Approving the Form and Manner of Notice of Settlement and Preliminarily Approving the Plan of Distribution.

1. All terms in initial capitalization used in this Order shall have the same meanings as set forth in the Settlement Agreements and the Preliminary Approval Orders, unless otherwise defined herein.

2. This order supersedes the Court's Order Approving the Form and Manner of Notice of Settlements and Preliminarily Approved the Plan of Distribution, dated December 20, 2016. ECF No. 700.

9. Subject to paragraph 8 and 9 above, absent further order of the Court, the Claims

Administrator shall have such duties and responsibilities as set forth in the Settlement Agreement.

ECF 866,

8. Class Lead Counsel has submitted separately for the Court's Approval, and the Court has approved, a proposed Plan of Distribution of the Settlement Funds.

9. Class Lead Counsel has submitted separately for the Court approval, and the Court has approved, a notice plan and proposed form of notice for purposes of advising member of the Settlement Classes, among other things, of their right to object to the Settlement Agreements, their right to exclude themselves from the Settlement Classes, the procedure for submitting a request for exclusion, the time, date and location of the Fairness Hearing, and their right to appear at the Fairness Hearing.

17. Except as otherwise provided herein, in the event that one or more of the Settlement Agreements is terminated, vacated, not approved, or the Effective Date fails to occur for any reason, then the Parties to such Settlement Agreement shall be deemed to have reverted to their respective status in the Action as of the Execution Date, and, except as otherwise expressly provided herein, such Parties shall proceed in all respects as if such Settlement Agreement and any related orders had not been entered, any portion of the Settlement Fund previously paid by or on behalf of the respective Settling Defendant, together with any interest earned thereon (and, if applicable, repayment of any Fee and Expense Award referred to in paragraph 9(a) of such Settlement Agreement), less Taxes due, if any, with respect to such income, less costs of administration and notice actually incurred and paid or payable from the Settlement Fund (not to exceed the dollar limit set forth in each Settlement Agreement without the prior approval of the Court) shall be returned to such Settling Defendant within ten business days from the date of the event causing such termination. At the request of such Settling Defendant's Counsel, the Escrow Agent shall apply for any tax refund owed on

the event causing such termination. At the request of such Settling Defendant's Counsel, the Escrow Agent shall apply for any tax refund owed on the Settlement Fund and pay the proceeds to such Settling Defendant.

18. None of the Settling Defendants, nor any of their counsel, nor any of the Released Parties (as defined in each of the Settlement Agreements) shall have any responsibility for, or liability whatsoever with respect to the notice procedures; the investment, administration, or distribution of any Settlement Fund or the Aggregate Settlement Funds; the Plan of Distribution; the determination, administration, calculation or payment of any claims asserted against any Settlement Fund or the Aggregate Settlement Funds..

WHEREFORE, Plaintiffs hereby submit this application 1). for costs and fees for legal of USD1.5million to Plaintiffs for pursuant to No. 16, **"All fees, costs and expenses incurred in identifying and notifying members of the Settlement Classes shall be paid as forth in the Settlement Agreements."** of Judge Order ECF 864 in FOREX (outlined as above on No. 16) for new members with current situation to my letter dated January 3, 2018,

And,

2). For USD40.5million (HSBC to pay for USD40.5 million's tax liability to US government) for HSBC liabilities on substantive to Plaintiffs for approval to release for pursuant to No. 18. **"None of the Settling Defendants, nor any of their counsel, nor any of the Released Parties (as defined in each of the Settlement Agreements) shall have any responsibility for, or liability whatsoever with respect to the notice procedures; the investment, administration, or distribution of any Settlement Fund or the Aggregate Settlement Funds; the Plan of Distribution; the determination, administration, calculation or payment of any claims asserted against any Settlement Fund or the Aggregate Settlement Funds."**

A copy of Request for Exclusion with proof document, as required and above claim applications pursuant to Your Honor's Order (outlined above) were emailed to Class Counsel

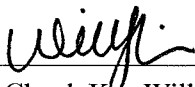
(Mr. Burke and Ms. Anderson), Garden City Group-Claim Administrator, Counsel for HSBC, Citibank, JP Morgan Chase, Equifax Information Service LLC and Northern Food I/E. Inc. and DOE 1-25 respectively. Please also see the Request for Exclusion and required proof document with claimant ID, Control Number, as attached Exhibit A for Your Honor's perusal.

Thank you very much, Your Honor, Plaintiffs is waiting anxiously for your kindest attention to this matter.

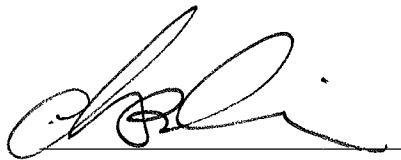
I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York

January 5, 2018



Lim Cheok Kee Willy, *Pro Se*
115 East Street,
New Hyde Park, NY 11040
Cell: 917-868-5218



Chan Ah Wah, *Pro Se*
115 East Street
New Hyde Park, NY 11040
Cell: 917-868-5218

EXHIBIT A

CHAN AH WAH AND LIM CHEOK KEE

115 East Street
New Hyde Park, NY 11040

January 4, 2018

Request for Exclusion

I/we hereby request that I/we be excluded from the Settlements in the *In re Foreign Exchange Benchmark Rates Antitrust Litigation* or substantive equivalent. (See ECF 864, 17, "Any Person falling within the definition of one of the Settlement Classes may request to be excluded from the Settlement Class in which he, she, or it would otherwise be a member of the.") We have attached confirmation of claim submission as proof of class members for *In re Foreign Exchange Benchmark Rates Antitrust Litigation*:

Claimant ID/Claim number: 1534676

Control Number: 5632932195

Claimant: CHAN AH WAH

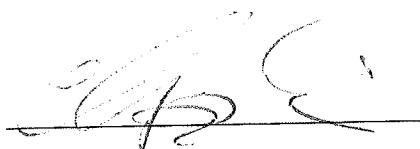
Date Filed: November 10, 2017


Claimant ID/Claim number: 10003612

Control Number: 4729571321

Claimant: LIM CHEOK KEE WILLY

Date Filed: November 29, 2017


CHAN AH WAH
115 EAST STREET
NEW HYDE PARK, NY 11040
MOBILE: 917-868-5218


LIM CHEOK KEE WILLY
115 EAST STREET
NEW HYDE PARK, NY 11040
MOBILE: 917-868-5218

**Foreign Exchange Antitrust Litigation
U.S. District Court for the Southern District of New York
Case No. 13-cv-7789-LGS**

CONFIRMATION OF CLAIM SUBMISSION

Please click the "Print" button below to print and save a copy of your claim information for your records. If you need to change any of your information, you may contact the Claims Administrator at info@FXAntitrustSettlement.com.

CLAIMANT ID INFORMATION

Claim Number	1534676
Control Number	5632932195
Date Filed	11/10/2017

CLAIMANT IDENTIFICATION

Name	CHAN AH WAH
Address	115 EAST STREET NEW HYDE PARK NY 11040
Country	UNITED STATES
Tax ID	XXXXX5320
Country of Domicile	US
Daytime Telephone Number	(917)868-5218
Evening Telephone Number	(917)868-5218
Email Address	CHANJAC5@AOL.COM
Authorized Representative	
Daytime Telephone Number	
Evening Telephone Number	
Email Address	

CLAIM TYPE

Type

Documented Claim with FX Exchange-Traded Instruments

PAYMENT ELECTION

Type

Electronic Payment to U.S. Bank

Foreign Exchange Antitrust Litigation
U.S. District Court for the Southern District of New York
Case No. 13-cv-7789-LGS

CONFIRMATION OF CLAIM SUBMISSION

Please click the "Print" button below to print and save a copy of your claim information for your records. If you need to change any of your information, you may contact the Claims Administrator at info@FXAntitrustSettlement.com.

CLAIMANT ID INFORMATION

Claim Number	10003612
Control Number	4729571321
Date Filed	11/29/2017

CLAIMANT IDENTIFICATION

Name	LIM CHEOK KEE WILLY
Address	115 EAST STREET NY NEW HYDE PARK NY 11040 1324
Country	UNITED STATES
Tax ID	XXXXX5082
Country of Domicile	US
Daytime Telephone Number	(917)868-5218
Evening Telephone Number	(917)868-5218
Email Address	JUSTIN.C.11040@GMAIL.COM
Authorized Representative	
Daytime Telephone Number	
Evening Telephone Number	
Email Address	

CLAIM TYPE

11/29/2017

Type

Documented Claim

PAYMENT ELECTION

Type

Electronic Payment to U.S. Bank

USM15W
SDNY

2015 JAN -2 17:10:37

TO = PRO SE OFFICE
500 Pearl St
NY NY

VERY URGENT

For: 13-CV-7789 (FOREX)

From: CHAN AH WAH et al.

115 East Street

New Hyde Park NY 11040

→ To file